

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re Methyl Tertiary-Butyl Ether (“MTBE”)
Products Liability Litigation**

Master File No. 1:00-1898 (SAS)
MDL No. 1358

This document pertains to:

***Commonwealth of Pennsylvania v. Exxon Mobil
Corporation, et al., Case No. 14-cv-06228***

**CITGO PETROLEUM CORPORATION AND CITGO REFINING AND
CHEMICALS COMPANY L.P.’S JOINDER, NOTICE OF MOTION
AND MOTION TO DISMISS**

PLEASE TAKE NOTICE that Defendants CITGO Petroleum Corporation and CITGO Refining and Chemicals Company L.P. (collectively “CITGO”) hereby join in Certain Insurance Defendants’ Motion to Dismiss and the MTBE Defendants’ Motion to Dismiss. In addition, CITGO hereby moves before the Honorable Shira A. Scheindlin, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an order dismissing Count VII (Subrogation), Count VIII (Unjust Enrichment) and Count IX (Violation of the Pennsylvania Storage Tank and Spill Prevention Act) pursuant to Federal Rule of Civil Procedure 12(b)(6). CITGO’s motion is based upon the Memorandum in Support of CITGO Petroleum Corporation and CITGO Refining and Chemicals Company L.P.’s Joinder and Motion to Dismiss and any reply brief and/or oral argument that CITGO may submit or make in support of this motion.

Dated: December 23, 2014

Respectfully submitted,

CITGO PETROLEUM CORPORATION AND
CITGO REFINING AND CHEMICALS
COMPANY L.P.

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on December 23, 2014, a copy of CITGO PETROLEUM CORPORATION AND CITGO REFINING AND CHEMICALS COMPANY L.P.'S JOINDER, NOTICE OF MOTION AND MOTION TO DISMISS was served upon all parties of record via LexisNexis File and Serve.

s/ Ameri R. Klafeta